LOS ANGELES WATERKEEPER®

VIA CERTIFIED MAIL

December 3, 2013

Allied Waste Services of North America
Attn: Managing Agent
9200 Glenoaks Blvd.
Sun Valley, CA 91352

Republic Services, Inc.
18500 North Allied Way
Phoenix, AZ 85054

Allied Waste Services of North America, LLC
18500 N. Allied Way
Phoenix, AZ 85054

Consolidated Disposal Service, LLC
18500 N. Allied Way
Phoenix, AZ 85054

Re: Notice of Violation and Intent to File Suit under the Federal Water Pollution Control Act

To Whom It May Concern:

I am writing on behalf of Los Angeles Waterkeeper ("Waterkeeper") regarding violations of the Clean Water Act[1] and California's General Industrial Storm Water Permit ("Storm Water Permit")[2] occurring at the Allied Waste Services of North America Sun Valley Truck Yard facility located at 9200 Glenoaks Boulevard, Sun Valley, CA 91352 ("Sun Valley Facility" or "Facility"). The purpose of this letter is to put the owner(s) and/or operator(s) of the Sun Valley Facility[3] on notice of the violations of the Storm Water Permit occurring at the Facility, including, but not limited to, violations caused by discharges of polluted storm water from the Facility into local surface waters and the failure to comply with the substantive and procedural requirements of the Storm Water Permit. Violations of the Storm Water Permit are violations of the Clean Water Act. As explained below, the Sun Valley Facility owners and/or operators are liable for violations of the Storm Water Permit and the Clean Water Act.

Waterkeeper has obtained documents and information relating to the Sun Valley Facility via Public Records Act requests, including documents submitted by the Sun Valley Facility owner(s) and/or operator(s) to the Los Angeles Regional Water Quality Control Board ("Regional Board"). Waterkeeper has also visually observed the industrial activities at the Sun Valley Facility. The violations of the Storm Water Permit and the Clean Water Act at the Sun Valley Facility described herein are based on Waterkeeper's review of the Regional Board documents and information, as well as Waterkeeper's observations.

Section 505(b) of the Clean Water Act, 33 U.S.C. § 1365(b), requires that sixty (60) days prior to the initiation of a civil action under Section 505(a) of the Clean Water Act, 33 U.S.C. § 1365(a), a citizen must give notice of his/her intention to file suit. Notice must be given to the

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[1] Federal Water Pollution Control Act, 33 U.S.C. §§ 1251 *et seq.*

[2] National Pollution Discharge Elimination System ("NPDES") General Permit No. CAS000001 [State Water Resources Control Board] Water Quality Order No. 92-12-DWQ, as amended by Order No. 97-03-DWQ.

[3] The Sun Valley Facility's owner(s) and/or operator(s) are described in detail in Section I.B below.

alleged violator, the Administrator of the United States Environmental Protection Agency ("EPA"), the Regional Administrator of the EPA, the Executive Officer of the water pollution control agency in the state in which the violations occur, and, if the alleged violator is a corporation, the registered agent of the corporation. *See* 40 C.F.R. § 135.2(a)(1).

By this letter issued pursuant to 33 U.S.C. §§ 1365(a) and (b) of the Clean Water Act, (hereinafter "Notice Letter"), Waterkeeper puts the Sun Valley Facility owner(s) and/or operator(s) on notice that after the expiration of sixty (60) days from the date of this Notice Letter, Waterkeeper intends to file an enforcement action in federal court against them for violations of the Storm Water Permit and the Clean Water Act.

I. Background

A. Los Angeles Waterkeeper

Waterkeeper is a non-profit 501(c)(3) public benefit corporation organized under the laws of California with its main office at 120 Broadway, Suite 105, Santa Monica, California 90401. Founded in 1993, Waterkeeper has approximately 3,000 members who live and/or recreate in and around the Los Angeles area. Waterkeeper is dedicated to the preservation, protection, and defense of the rivers, creeks, and coastal waters of Los Angeles County from all sources of pollution and degradation. To further this mission, Waterkeeper actively seeks federal and state implementation of the Clean Water Act. Where necessary, Waterkeeper directly initiates enforcement actions on behalf of itself and its members.

Members of Waterkeeper reside in Los Angeles County, near the Los Angeles River and the Los Angeles Estuary. As explained in detail below, the owners and/or operators of the Sun Valley Facility have continuously discharged pollutants into the Los Angeles River, which flows into the Los Angeles River Estuary, the Los Angeles/Long Beach Harbor, the San Pedro Bay, the Long Beach City Beach, and the Pacific Ocean (collectively "Receiving Waters"), in violation of the Clean Water Act and the Storm Water Permit. Waterkeeper members use these waters and beaches to swim, boat, and kayak. Waterkeeper members also use the path alongside the Los Angeles River to bird watch, view wildlife, hike, bike, walk, and run. Additionally, Waterkeeper members use these waters to engage in scientific study through pollution and habitat monitoring and restoration activities, including Waterkeeper's Marine Program, Kelp Restoration Project, Marine Protected Areas Watch Project, Watershed Program, and Drain Watch Program. The unlawful discharge of pollutants from the Sun Valley Facility into the Receiving Waters impairs Waterkeeper members' use and enjoyment of these waters. Thus, the interests of Waterkeeper's members have been, are being, and will continue to be adversely affected by the Sun Valley Facility owners' and/or operators' failure to comply with the Clean Water Act and the Storm Water Permit.

B. The Sun Valley Facility Owners and/or Operators

Information available to Waterkeeper indicates that the Sun Valley Facility is owned and/or operated by the following companies: Republic Services, Inc., Consolidated Disposal

Service, LLC, Consolidated Disposal Service, LLC dba Republic Services, Consolidated Disposal Service, LLC dba Allied Waste Services, and Allied Waste Services of North America, LLC. Waterkeeper refers to Republic Services, Inc., Consolidated Disposal Service, LLC, Consolidated Disposal Service, LLC dba Republic Services, Consolidated Disposal Service, LLC dba Allied Waste Services, and Allied Waste Services of North America, LLC collectively as the "Sun Valley Facility Owners and/or Operators."[4] As explained herein, the Sun Valley Facility Owners and/or Operators are liable for violations of the Storm Water Permit and the Clean Water Act.

Republic Services Inc. is primarily a municipal solid waste ("MSW") management company. Information available to Waterkeeper indicates that Republic Services, Inc. is an active corporation registered in California. Information available to Waterkeeper indicates that Consolidated Disposal Service, LLC and Allied Waste Services of North America, LLC are active limited liability companies registered in California. The Registered Agent for Republic Services, Inc., Consolidated Disposal Service, LLC, and Allied Waste Services of North America, LLC is C T Corporation System, 818 West Seventh Street, Los Angeles, California 90017.

C. The Sun Valley Facility's Permit Coverage and Group Monitoring Plan

Prior to beginning industrial operations, dischargers are required to apply for coverage under the Storm Water Permit by submitting a Notice of Intent ("NOI") to the State Water Resources Control Board ("State Board") to obtain Storm Water Permit coverage. *See* Storm Water Permit, Finding #3. The State Board approved the NOI for the Sun Valley Facility on April 3, 1992. The receipt letter for the NOI identifies the facility operator name as "Consolidated Disposal Services LLC." The receipt letter identifies the facility name and address as "Allied Waste Services of North America LLC Sun Valley T [sic], 9200 Glenoaks Boulevard, Sun Valley." The receipt letter lists the Waste Discharge Identification ("WDID") number for the Sun Valley Facility as 4-19I003497.

Republic Services, Inc. submitted a Group Monitoring Plan Application for 12 of its facilities on August 25, 2008, pursuant to Section B(15) of the Storm Water Permit. Information available to Waterkeeper indicates that this Group Monitoring Plan ("GMP") was approved, and the Sun Valley Facility was added to the GMP on September 1, 2010. Pursuant to the GMP, the Sun Valley Facility Owners and/or Operators were required to collect and analyze storm water samples at the Facility during the 2009-2010 and 2012-2013 Wet Seasons.[5] The 2012-2013

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[4] The Sun Valley Facility Storm Water Pollution Prevention Plan states that the site name for the Facility is "Republic Services – Sun Valley Truck Yard dba Sun Valley Truck Yard (SVTY)." However, a search of the County of Los Angeles Registrar-Recorder/County Clerk's database of Fictitious Business Name registrations does not result in any record of Republic Services registering the Ficitition Business Name "Sun Valley Truck Yard (SVTY)." To the extent that information is made available that this entity is or was an owner and/or operator of the Sun Valley Facility, Waterkeeper puts it on notice of this suit.

[5] The Wet Season is defined as October 1 – May 31.

Annual Group Evaluation Report submitted on behalf of Republic Services, Inc., which includes the Sun Valley Facility, states that all facilities involved in the GMP are discontinuing GMP participation starting in the 2013-2014 Wet Season.

D. Sun Valley Facility Standard Industrial Classification Codes

The Storm Water Permit requires facility operators to submit "Facility Site Information" in the NOI. Storm Water Permit, Attachment 3 at 3. "Facility Site Information" must include the Standard Industrial Classification ("SIC") Codes identifying all of the industrial activities taking place at the facility. *Id.* The Sun Valley Facility's NOI lists its SIC Code as 4212 (Motor Freight Transportation and Warehousing). Information available to Waterkeeper indicates that the Sun Valley Facility stores hazardous waste and materials so, to comply with the Storm Water Permit, its NOI should also add SIC Code 4953 (Hazardous Waste Treatment Storage or Disposal Facilities) as applicable to entire Facility. These SIC Codes are relevant to evaluating the Sun Valley Facility Owners' and/or Operators' compliance with the Permit's monitoring requirements, including sample collection, sample analysis, and assessment of potential pollutant sources, as well as compliance with the Storm Water Permit's Effluent Limitations and the mandate to implement measures meeting the best available technology economically achievable ("BAT") and best conventional pollutant control technology ("BCT") standards required by the Clean Water Act and Storm Water Permit.

For facilities classified as SIC Code 4212, the Storm Water Permit requires permit coverage for "vehicle maintenance shops, equipment cleaning operations, or airport deicing operations." Storm Water Permit, Attachment 1. The Storm Water Permit regulates the portions of the facility which are used for "vehicle maintenance (including vehicle rehabilitation, mechanical repairs, painting, fueling, and lubrication) or other operations identified herein that are associated with industrial activity." Storm Water Permit, Attachment 1; *see also* Storm Water Permit, Attachment 4 (stating that "storm water associated with industrial activity" includes storm water discharges from material handling activities and storage areas for material handling equipment). Waterkeeper puts the Sun Valley Facility Owners and/or Operators on notice that one or more of these regulated activities is conducted at locations throughout the entire Sun Valley Facility, and thus the entire Facility requires Storm Water Permit coverage. In addition, even if the regulated industrial activities are not occurring throughout the entire Facility at all times, under the Storm Water Permit's definition of "storm water associated with industrial activities" and explanation of material handling activities, Waterkeeper puts the Sun Valley Facility Owners and/or Operators on notice that since no best management practices ("BMPs") or other controls exist to separate the storm water flows from portions of the Facility where non-regulated activities may occur from storm water flows from the regulated industrial activities, storm water at the Facility commingles and thus, all storm water discharges from the Facility are regulated under the Storm Water Permit.

E. Storm Water Pollution and Receiving Waters

With every significant rainfall event, millions of gallons of polluted rainwater, originating from numerous Los Angeles industrial operations such as the Sun Valley Facility, pour into storm drains and Los Angeles area surface waters. The consensus among regulatory agencies and water quality experts is that storm water pollution accounts for more than half of the total pollution entering marine and river environments annually. According to the National Research Council's "Report on Urban Storm Water," storm water runoff is "a principal contributor to water quality impairment of waterbodies nationwide."[6] This discharge of pollutants from industrial facilities in storm water contributes to the impairment of downstream waters and aquatic dependent wildlife. A water body is impaired if it is unable to support its beneficial uses, as described below.

Discharges from truck maintenance and fueling facilities such as the Sun Valley Facility contain pollutants such as: oil and grease ("O&G"); total suspended solids ("TSS"); hydraulic fluid; antifreeze; used batteries; detergents and cleaners; diesel fuel; gasoline; lubricating fluids; organic solvents; recyclables; heavy metals such as copper, iron, lead, aluminum, and zinc; brake fluid; dirt, dust, and debris; pathogens (including bacteria); nutrients; chemical oxygen demand ("COD"); and trash. Many of these pollutants are on the list of chemicals published by the State of California as known to cause cancer, birth defects, and developmental or reproductive harm. Discharges of polluted storm water and non-storm water to the Receiving Waters via the storm drain system pose carcinogenic and reproductive toxicity threats to the public and adversely affect the aquatic environment.

The Regional Board issued the *Water Quality Control Plan for the Coastal Watersheds of Los Angeles and Ventura County* ("Basin Plan"). The Basin Plan identifies the "Beneficial Uses" of the portions of the Los Angeles River Watershed (including the Receiving Waters) that receive polluted storm water discharges from the Sun Valley Facility. These Beneficial Uses include: water contact recreation ("REC 1"), non-contact water recreation ("REC 2"), warm freshwater habitat ("WARM"), ground water recharge ("GWR"), wildlife habitat ("WILD"), wetland ("WET"), estuarine habitat ("EST"), industrial service supply ("IND"), navigation ("NAV"), marine habitat ("MAR"), commercial fishing ("COMM"), rare, threatened, or endangered ("RARE"), migration of aquatic organisms ("MIGR"), and spawning, reproduction and/or early development ("SPWN"). *See* Basin Plan, Table 2-1. According to the 2010 303(d) List of Impaired Water Bodies, Reaches 1 and 2 of the Los Angeles River are impaired by pollutants such as pH, cyanide, diazinon, lead, nutrients, ammonia, cadmium, coliform bacteria, copper, trash, zinc, and oil.[7] The Los Angeles River Estuary is impaired by, among other pollutants, chlordane, sediment toxicity, and trash. The Los Angeles/Long Beach Harbor is impaired by at least chrysene, copper, sediment toxicity, and zinc. The San Pedro Bay is impaired by sediment toxicity, and the Long Beach City Beach, one of the San Pedro Bay beaches, is impaired by indicator bacteria. Polluted discharges from the Sun Valley Facility

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[6] National Research Council of the National Academies, "Urban Stormwater Management in the United States," vii (2008).

[7] 2010 Integrated Report – All Assessed Waters, available at: http://www.waterboards.ca.gov/water_issues/programs/tmdl/integrated2010.shtml (last accessed on November 15, 2013).

cause and/or contribute to the degradation of these already impaired surface waters, beaches, and aquatic dependent wildlife. The pollutants discharged into Reaches 1 and 2 of the Los Angeles River flow to the Pacific Ocean via the Los Angeles River Estuary, Los Angeles/Long Beach Harbor, and San Pedro Bay. For the Los Angeles area aquatic ecosystem to regain its health, contaminated storm water discharges, including those from the Facility, must be eliminated.

The Receiving Waters are ecologically sensitive areas. Although pollution and habitat destruction have drastically altered the natural ecosystem, the Receiving Waters are still essential habitat for dozens of fish and bird species, as well as macro-invertebrate and invertebrate species. Storm water and non-storm water contaminated with sediment, heavy metals, and other pollutants harm the special aesthetic and recreational significance that the Receiving Waters have for people in the surrounding communities. The public's use of the Receiving Waters for water contact sports and fishing exposes many people to toxic metals, pathogens and bacteria, and other contaminants in storm water and non-storm water discharges. Non-contact recreational and aesthetic opportunities, such as wildlife observation, are also impaired by polluted discharges to the Receiving Waters.

II. The Sun Valley Facility and Associated Discharges of Pollutants

A. Sun Valley Facility Site Description

Information available to Waterkeeper indicates that the Sun Valley Facility bounded by Penrose Street on the west, existing industrial development on the north, Randall Street on the east, and Glenoaks Boulevard on the south. The property is approximately 6.6 acres, with traffic entering from one of two gates on the southern corner of the property, one leading onto Glenoaks Boulevard and one leading onto Randall Street. Approximately 99% of the Facility is impervious.

Information available to Waterkeeper indicates that the Sun Valley Facility has three enclosed buildings. One building is the Truck Maintenance Building, which is used for truck and equipment maintenance and as a storage area for engine oil, solvents, hydraulic fluids, transmission fluids, gear oil, grease, waste absorbent, used antifreeze, shop waste, petroleum products, and batteries. Adjacent to the Truck Maintenance Building is the truck, bin, and container wash area that is equipped with an underground clarifier. The two other enclosed buildings are used for bin maintenance and administrative work. Also located at the Facility are a paint booth, a compressed natural gas fueling station, an e-waste storage bin, and two fuel islands containing uncovered gasoline and diesel fuel pumps. The remainder of the Facility is uncovered and used for truck and equipment parking, employee parking, roll-off and bin storage.

The Facility stores the following materials: engine oil, solvents, hydraulic fluids, transmission fluids, gear oil, grease, waste absorbent, used antifreeze, shop waste, batteries, diesel (20,000 gallon underground storage tank), gasoline (10,000 gallon underground storage tank), paint, paint thinner, and e-waste. Information available to Waterkeeper indicates that uncovered bins for recycling and/or disposal materials are stored uncovered throughout the Facility.

B. Sun Valley Facility Industrial Activities and Pollutant Sources

Information available to Waterkeeper indicates that the Sun Valley Facility is used to park, fuel, and maintain trucks used for Republic Services, Inc.'s solid waste recycling and transfer activities at its other facilities. The industrial activities at the Sun Valley Facility are pollutant sources and include truck, equipment, and container washing; vehicle and equipment maintenance, such as oil and fluid changes and tire replacement for trucks and welding, lid, and wheel replacement for equipment; truck and other vehicle fueling; and truck and employee vehicle parking. Additional activities and pollutant sources at the Sun Valley Facility include employee and customer parking, hazardous material storage, and truck traffic with associated track-off of pollutants.

C. Sun Valley Facility Pollutants

Information available to Waterkeeper, including the Facility's own storm water samples, indicates that the pollutants associated with operations at the Sun Valley Facility include, but are not limited to: O&G; TSS; hydraulic fluids; antifreeze; used batteries; detergents and cleaners; diesel; gasoline; lubricating fluids; organic solvents; recyclables; heavy metals such as copper, iron, lead, aluminum, and zinc; brake fluid; pathogens (including bacteria); nutrients; COD; MSW/trash; pesticides; paint; pH-affecting substances; fugitive and other dust, dirt, and debris; and fuel and fuel additives. The Sun Valley Facility Owners' and/or Operators' failure to develop and/or implement required best management practices ("BMPs") results in the exposure of these pollutants associated with the Facility's industrial activities to rainfall, which then discharges into the Receiving Waters, in violation of the Storm Water Permit and the Clean Water Act.

Some hazardous wastes are generated at the Sun Valley Facility, including used oil from equipment maintenance and sludge from site clarifiers. Hazardous waste is stored in a drum in the Transfer Station building before it is removed from the site and taken to recycling/disposal facilities.

D. Sun Valley Facility Discharge Points

Information available to Waterkeeper indicates that storm water discharges to the municipal storm sewer system from at least two (2) discharge points located at the Sun Valley Facility. These include a driveway onto Glenoaks Boulevard and a driveway onto Randall Street. Information available to Waterkeeper indicates that discharges from these two points at the Facility flow to municipal storm sewer drains, which then discharge into the Los Angeles area storm drain system and flow into the Los Angeles River. The Sun Valley Facility Owners and/or Operators collect storm water samples at these two discharge locations. Information available also indicates that storm water discharges onto Glenoaks Boulevard or Randall Street via concrete ribbon gutters that surround the Facility, so additional discharge points likely exist.

Information available to Waterkeeper indicates that storm water from the Facility also discharges to the muncipal sanitary sewer system from one clarifier located at the Facility. The clarifier is located in the truck and container wash area. The clarifier receives wastewater generated from vehicle, container, and bin cleaning and storm water collected from the portion of the site's drainage north of the maintenance building. The clarifier is connected to the municipal sanitary sewer.

III. Violations of the Clean Water Act and the Storm Water Permit

A. Discharges of Polluted Storm Water from the Sun Valley Facility in Violation of Effluent Limitation B(3) of the Storm Water Permit

Effluent Limitation B(3) of the Storm Water Permit requires dischargers to reduce or prevent pollutants associated with industrial activity in storm water discharges through implementation of BMPs that achieve BAT for toxic pollutants[8] BCT for conventional pollutants.[9] EPA Benchmarks are objective standards for evaluating whether a permittee's BMPs achieve compliance with BAT/BCT standards as required by Effluent Limitation B(3) of the Storm Water Permit.[10]

Pursuant to the GMP, the Sun Valley Facility Owners and/or Operators were required to collect and analyze storm water samples during the 2009-2010 and the 2012-2013 Wet Seasons. Waterkeeper also conducted sampling of storm water discharges from the Sun Valley Facility on October 9, 2013. The laboratory results from both the Sun Valley Facility Owners' and/or Operators' and Waterkeeper's sampling demonstrate that discharges from the Facility contain concentrations of pollutants significantly exceeding EPA Benchmarks. The table below sets forth the results of sampling conducted by the Sun Valley Facility Owners and/or Operators when the sample result exceeds an EPA Benchmark.

Sampling Conducted by the Sun Valley Facility Owners and/or Operators Demonstrating Benchmark Exceedances

Date of Sample	Sample Location	Constituent	EPA Benchmark[11]	Sample Value	Magnitude of Exceedance[12]

[8] Toxic pollutants include heavy metals, such as copper, lead, and zinc. *See* 40 C.F.R. § 401.15.
[9] Conventional pollutants include biochemical oxygen demand, TSS, O&G, pH, and fecal coliform, among others. *See* 40 C.F.R. § 401.16.
[10] *See United States Environmental Protection Agency (EPA) National Pollutant Discharge Elimination System (NPDES) Multi-Sector General Permit for Stormwater Discharges Associated with Industrial Activity (MSGP)*, as modified effective May 27, 2009 ("Multi-Sector Permit").
[11] EPA Benchmark Values for all constituents in the tables in this Notice Letter are measured in units of mg/L, except specific conductance ("SC"), which is measured in umhos/cm.
[12] The magnitudes of exceedance values in this table and in the subsequent table were calculated by taking the Sample Value and dividing it by the EPA Benchmark (or CTR criteria in the table below). For example, the first TSS sample value (taken on 12/15/2008) of 410 divided by 100

Sampling Conducted by the Sun Valley Facility Owners and/or Operators Demonstrating Benchmark Exceedances

Date of Sample	Sample Location	Constituent	EPA Benchmark[11]	Sample Value	Magnitude of Exceedance[12]
12/15/2008[13]	Glenoaks Blvd.	TSS	100	410	4.1
12/15/2008	Glenoaks Blvd.	O&G	15	19	1.27
12/15/2008	Glenoaks Blvd.	Copper[1415]	0.0123	0.19	15.45
12/15/2008	Glenoaks Blvd.	Zinc	0.11	0.36	3.27
12/15/2008	Randall St.	Copper	0.0123	0.13	10.57
12/15/2008	Randall St.	Zinc	0.11	0.23	2.09
10/13/2009	SVTY – 1	TSS	100	1500	15.0
10/13/2009	SVTY – 1	SC	200	1400	7.0
10/13/2009	SVTY – 1	TOC	110	380	3.45
10/13/2009	SVTY – 2	SC	200	450	2.25
10/13/2009	SVTY – 2	TOC	110	180	1.64
10/11/2012	SVTY – 1	TSS	100	106	1.06
10/11/2012	SVTY – 2	TSS	100	356	3.56
10/9/2013	Location 1	Copper	0.0123	0.047	3.82
10/9/2013	Location 1	Zinc	0.11	0.25	2.27
10/9/2013	Location 1	Aluminum	0.75	2.5	3.33
10/9/2013	Location 1	Iron	1.0	4.0	4.0
10/9/2013	Location 1	Magnesium	0.064	2.12	33.13
10/9/2013	Location 1	Mercury	0.0014	0.057	40.71
10/9/2013	Location 2	Copper	0.0123	0.043	3.5
10/9/2013	Location 2	Zinc	0.11	0.23	2.09

(EPA Benchmark for TSS) equals 4.1. Thus the sample taken on 12/15/2008 is 4.1 times the EPA Benchmark for TSS.

[13] The Sun Valley Facility Owners and/or Operators collected all samples listed in the tables in this Notice Letter, except the samples collected on October 9, 2013, which were collected by Waterkeeper.

[14] Certain pollutants, including copper and zinc, are water hardness dependent. The EPA Benchmarks listed in this table are based on a hardness of 75-100 mg/L. *See* Multi-Sector Permit, J-2 (Appendix J); *see also Total Maximum Daily Loads for Metals, Los Angeles River and Tributaries*, California Regional Water Quality Control Board, Los Angeles Region, June 2, 2005 (stating that the median hardness of the Los Angeles River is 80 mg/L based upon Los Angeles County Department of Public Works data from Wardlow Station from 1996 to 2002).

[15] Although facilities classified only as SIC Code 4212 are not required by Section B(5)(c)(iii) of the Storm Water Permit to analyze their storm water samples for heavy metals, Section B(5)(c)(ii) of the Storm Water Permit requires facility owners and/or operators to analyze their storm water samples for any pollutants that are "likely to be present in storm water discharges in significant quantities," such as when the pollutants are present in quantities that exceed EPA Benchmarks. This is described further in Section III.D below. Additionally, facilities classified as SIC Code Section 4953 are required to analyze their storm water samples for some heavy metals, such as lead and silver.

Sampling Conducted by the Sun Valley Facility Owners and/or Operators Demonstrating Benchmark Exceedances

Date of Sample	Sample Location	Constituent	EPA Benchmark[11]	Sample Value	Magnitude of Exceedance[12]
10/9/2013	Location 2	Aluminum	0.75	1.9	2.53
10/9/2013	Location 2	Iron	1.0	2.9	2.9
10/9/2013	Location 2	Magnesium	0.064	1.96	30.63
10/9/2013	Location 2	Mercury	0.0014	0.061	43.57

Information available to Waterkeeper, including sampling data exhibiting consistent exceedances of EPA Benchmarks, demonstrates that the Sun Valley Facility Owners and/or Operators have failed and continue to fail to develop and/or implement BMPs at the Sun Valley Facility that achieve compliance with the BAT/BCT standards.

Waterkeeper puts the Sun Valley Facility Owners and/or Operators on notice that they violate Effluent Limitation B(3) of the Storm Water Permit every time they discharge storm water from the Sun Valley Facility without BMPs that achieve BAT/BCT. *See, e.g.,* Exhibit A (setting forth dates of discharges). These discharge violations are ongoing and will continue every time the Sun Valley Facility Owners and/or Operators discharge polluted storm water without developing and/or implementing BMPs that achieve compliance with the BAT/BCT standards. Waterkeeper will update the dates of violations when additional information and data become available. Each time the Sun Valley Facility Owners and/or Operators discharge polluted storm water in violation of Effluent Limitation B(3) of the Storm Water Permit is a separate and distinct violation of the Storm Water Permit and Section 301(a) of the Clean Water Act, 33 U.S.C. § 1311(a). The Sun Valley Facility Owners and/or Operators are subject to civil penalties for all violations of the Clean Water Act occurring since December 3, 2008.

B. Discharges of Polluted Storm Water from the Sun Valley Facility in Violation of Receiving Water Limitations C(1) and/or C(2) of the Storm Water Permit

Receiving Water Limitation C(1) of the Storm Water Permit prohibits storm water discharges and authorized non-storm water discharges to surface water that adversely impact human health or the environment. Discharges that contain pollutants in concentrations that exceed levels known to adversely impact human health or the environment constitute violations of Receiving Water Limitation C(1) of the Storm Water Permit and the Clean Water Act. Receiving Water Limitation C(2) of the Storm Water Permit prohibits storm water discharges and authorized non-storm water discharges that cause or contribute to an exceedance of an applicable Water Quality Standard ("WQS").[16] Discharges that contain pollutants in excess of an

[16] WQSs include pollutant concentration levels determined by the State Board and the EPA to be protective of the Beneficial Uses of the receiving waters. Discharges above WQSs contribute to the impairment of the receiving waters' Beneficial Uses. Applicable WQSs include, among others, the Criteria for Priority Toxic Pollutants in the State of California, 40 C.F.R. § 131.38 ("CTR"). The Basin Plan also sets out additional applicable WQSs.

applicable WQS violate Receiving Water Limitation C(2) of the Storm Water Permit and the Clean Water Act.

Storm water sampling demonstrates that discharges from the Sun Valley Facility contain elevated concentrations of pollutants such as copper and zinc, which can be acutely toxic and/or have sub-lethal impacts on the avian and aquatic wildlife in the Receiving Waters. Storm water sampling at the Sun Valley Facility also demonstrates that discharges contain concentrations of pollutants that cause or contribute to an exceedance of an applicable WQS. The table below sets forth the results of sampling conducted by the Sun Valley Facility Owners and/or Operators and Waterkeeper that demonstrate violations of Receiving Water Limitation C(1) and/or Receiving Water Limitation C(2).

Sampling Demonstrating Exceedances of Water Quality Standards

Date of Sample	Sample Location	Constituent	CTR Criteria[17]	Sample Value[18]	Magnitude of Exceedance[19]
12/15/2008	Glenoaks Blvd.	Copper	0.011	0.19	17.27
12/15/2008	Glenoaks Blvd.	Zinc	0.099	0.36	3.64
12/15/2008	Randall St.	Copper	0.011	0.13	11.82
12/15/2008	Randall St.	Zinc	0.099	0.23	2.32
10/9/2013	Location 1	Copper	0.011	0.047	4.27
10/9/2013	Location 1	Zinc	0.099	0.25	2.53
10/9/2013	Location 2	Copper	0.011	0.043	3.91
10/9/2013	Location 2	Zinc	0.099	0.23	2.32

In addition, information available to Waterkeeper indicates pathogens (including bacteria) and trash are discharged from the Sun Valley Facility. These discharges result in violations of Receiving Water Limitation C(1) and/or Receiving Water Limitation C(2) as well.

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[17] The CTR criteria for "priority toxic pollutants" are set forth in 40 C.F.R. § 131.38. These criteria are expressed as dissolved metal concentrations in the CTR. However, the Storm Water Permit requires permittees to report their sample results as total metal concentrations. *See* Storm Water Permit, Section B(10)(b). In order to compare the sample results reported in the Sun Valley Facility's Annual Reports with the CTR criteria, Waterkeeper used the CTR criteria converted to total metal concentrations set forth in the State Board's "Water Quality Goals" database, available at http://www.waterboards.ca.gov/water_issues/programs/water_quality_goals/. The formula used to convert the CTR criteria to total metal concentrations is set forth in the CTR at 40 C.F.R. § 131.38(b)(2)(i). The CTR criteria for each pollutant is based on a hardness of 80 mg/L for the Los Angeles River. *See Total Maximum Daily Loads for Metals, Los Angeles River and Tributaries*, California Regional Water Quality Control Board, Los Angeles Region, June 2, 2005 (stating that the median hardness of the Los Angeles River is 80 mg/L based upon Los Angeles County Department of Public Works data from Wardlow Station from 1996 to 2002).

[18] CTR criteria and sample results for this table are measured in units of mg/L.

[19] *See* footnote 12, above.

Waterkeeper puts the Sun Valley Facility Owners and/or Operators on notice that Receiving Water Limitation C(1) and/or Receiving Water Limitation C(2) of the Storm Water Permit are violated each time polluted storm water discharges from the Sun Valley Facility. *See, e.g.,* Exhibit A. Information available to Waterkeeper indicates that these violations are ongoing and occur every time the Sun Valley Facility Owners and/or Operators discharge storm water from the Sun Valley Facility. Waterkeeper will update the dates of violation when additional information and data become available. Each time discharges of storm water from the Facility adversely impact human health or the environment is a separate and distinct violation of Receiving Water Limitation C(1) of the Storm Water Permit and the Clean Water Act. Each time discharges of storm water from the Facility cause or contribute to a violation of an applicable WQS is a separate and distinct violation of Receiving Water Limitation C(2) of the Storm Water Permit and the Clean Water Act. The Sun Valley Facility Owners and/or Operators are subject to civil penalties for all violations of the Clean Water Act occurring since December 3, 2008.

C. Failure to Develop, Implement, and/or Revise an Adequate Storm Water Pollution Prevention Plan for the Sun Valley Facility in Violation of Section A and Provision E(2) of the Storm Water Permit

Section A(1) and Provision E(2) of the Storm Water Permit require dischargers to have developed and implemented a SWPPP prior to beginning industrial activities that meets all of the requirements of the Storm Water Permit. The objective of the SWPPP requirement is to identify and evaluate sources of pollutants associated with industrial activities that may affect the quality of storm water discharges from the Sun Valley Facility, and to implement site-specific BMPs to reduce or prevent pollutants associated with industrial activities in storm water discharges. Storm Water Permit, Section A(2). These BMPs must achieve compliance with the Storm Water Permit's Effluent Limitations and Receiving Water Limitations. To ensure compliance with the Storm Water Permit, the SWPPP must be evaluated on an annual basis pursuant to the requirements of Section A(9) and revised as necessary. *See* Storm Water Permit, Sections A(9) and A(10).

Sections A(3) – A(10) of the Storm Water Permit set forth the requirements for a SWPPP. Among other requirements, the SWPPP must include: a pollution prevention team; a site map showing the facility boundaries, storm water drainage areas with flow patterns, nearby water bodies, the location of the storm water collection, conveyance and discharge system(s), structural control measures, areas of actual and potential pollutant contact, and areas of industrial activity (*see* Section A(4)); a list of significant materials handled and stored at the site (*see* Section A(5)); a description of potential pollutant sources including industrial processes, material handling and storage areas, dust and particulate generating activities; a description of significant spills and leaks; a list of all non-storm water discharges and their sources; and a description of locations where soil erosion may occur (*see* Section A(6)). Sections A(7) and A(8) require an assessment of potential pollutant sources at the facility and a description of the BMPs to be implemented at the facility that will reduce or prevent pollutants in storm water discharges and authorized non-storm water discharges, including structural BMPs where non-structural BMPs are not effective.

Information available to Waterkeeper indicates that the Sun Valley Facility Owners and/or Operators have been conducting and continue to conduct industrial operations at the Sun Valley Facility with an inadequately developed, implemented, and/or revised SWPPP. Although the Facility's SWPPP appears to be facially adequate, it does not achieve the Storm Water Permit's objective for the SWPPP, which is "to identify and implement site-specific [BMPs] to reduce or prevent pollutants associated with industrial activities in storm water discharges and authorized non-storm water discharges." Storm Water Permit, Section A(2). The Facility's SWPPP does not include a determination of "[w]hich areas of the facility are likely sources of pollutants in storm water discharges and authorized non-storm water discharges" (Storm Water Permit, Sections A(7)(a)(i) and A(7)(b)), and thus the Sun Valley Facility Owners and/or Operators have not evaluated the Facility sufficiently to develop effective and comprehensive BMPs. The high pollutant concentrations in the Facility's storm water samples since at least December 3, 2008 demonstrate the failure of the Facility's BMPs to reduce or prevent pollutants associated with industrial activities in discharges, and thus the BMPs in the Facility's SWPPP are improperly developed and/or implemented. Further, although the Sun Valley Facility Owners and/or Operators revised the Facility's SWPPP in October 2012, samples taken after these revisions still contained high concentrations of pollutants. Therefore, the Facility's SWPPP continues to include inadequate BMPs and thus is in violation of the Storm Water Permit. *See* Storm Water Permit, Sections A(8) and A(9).

Waterkeeper puts the Sun Valley Facility Owners and/or Operators on notice that they violate Section A and Provision E(2) of the Storm Water Permit and the Clean Water Act every day that they operate the Sun Valley Facility with an inadequately developed, implemented, and/or revised SWPPP. The Sun Valley Facility Owners and/or Operators have been in daily and continuous violation of the Storm Water Permit's SWPPP requirements since at least December 3, 2008. These violations are ongoing, and Waterkeeper will include additional violations as information and data become available. The Sun Valley Facility Owners and/or Operators are subject to civil penalties for all violations of the Clean Water Act occurring since December 3, 2008.

D. Failure to Develop, Implement, and/or Revise an Adequate Monitoring and Reporting Program for the Sun Valley Facility in Violation of Sections B and E(3) of the Storm Water Permit

Section B(1) and Provision E(3) of the Storm Water Permit require facility operators to develop and implement an adequate Monitoring and Reporting Program ("M&RP") when industrial activities begin at a facility, that meets all of the requirements of the Storm Water Permit. An adequate M&RP therefore ensures that BMPs are effectively reducing and/or eliminating pollutants at the facility, and must be evaluated and revised whenever appropriate to ensure compliance with the Storm Water Permit. *See id.*

Sections B(3) – B(16) of the Storm Water Permit set forth the M&RP requirements. Specifically, Section B(3) requires dischargers to conduct quarterly visual observations of all drainage areas within their facility for the presence of authorized and unauthorized non-storm water discharges. Section B(4) requires dischargers to conduct visual observations of storm

water discharges during the first hour of discharge of at least one storm event per month during the Wet Season at each discharge point. Sections B(3) and B(4) further require dischargers to document the presence of any floating or suspended material, O&G, discolorations, turbidity, odor, and the source of any pollutants. Dischargers must maintain records of observations, observation dates, locations observed, and responses taken to eliminate unauthorized non-storm water discharges and to reduce or prevent pollutants from contacting non-storm water and storm water discharges. Storm Water Permit, Sections B(3) and B(4).

Sections B(5) and B(7) of the Storm Water Permit require dischargers to collect storm water samples during the first hour of discharge from the first storm event of the Wet Season. A sample must be collected from each discharge point at the facility. Storm water samples must be analyzed for TSS, pH, SC, and total organic carbon ("TOC") or O&G. *See* Storm Water Permit, Section B(c)(i). Facilities classified as SIC Code 4953 must also analyze their storm water samples for ammonia, magnesium, COD, arsenic, cadmium, cyanide, lead, mercury, selenium, and silver. *See* Storm Water Permit, Section B(c)(iii), Table D (Sector K)*; see also* Storm Water Permit, Section B(15)(b) (GMP participants must collect and analyze samples in accordance with Section B(5) of the Storm Water Permit). Facilities must also analyze their storm water samples for "toxic chemicals and other pollutants that are likely to be present in storm water discharges in significant quantities." Storm Water Permit, Section B(5)(c)(ii).

For facility owners and/or operators participating in a GMP, all of the above M&RP requirements apply. *See* Storm Water Permit, Section B(15)(h). During the Wet Season that a GMP participant is selected to collect samples, these samples must be collected in accordance with Section B(5) of the Storm Water Permit. Storm Water Permit, Sections B(15)(b) and (f). For participants in a GMP, each GMP participant must collect and analyze samples from at least two storm events over the five-year period of the Storm Water Permit. *See* Storm Water Permit, Section B(15)(b). GMP participants must comply with all other monitoring program and reporting requirements of the Storm Water Permit during all Wet Seasons. Storm Water Permit, Section B(15)(h).

Information available to Waterkeeper indicates that the Sun Valley Facility Owners and/or Operators have been conducting operations at the Sun Valley Facility with an inadequately developed, implemented, and/or revised M&RP. For example, Waterkeeper's samples containing pollutant concentrations that exceed EPA Benchmarks demonstrate that many pollutants, including at least copper, zinc, aluminum, iron, magnesium, and mercury, are present in the Facility's storm water discharges in significant quantities. Moreover, as discussed in detail in Sections I.E and II.B and C above, both pathogens (including indicator bacteria) and trash are likely present in the Facility's discharges in significant quantities. The Sun Valley Facility Owners and/or Operators are thus required to analyze all storm water samples for these parameters, and others that are likely to be present in the Facility's storm water discharges in significant quantities. Yet the Sun Valley Facility Owners and/or Operators failed to analyze their December 15, 2008 sample for aluminum, iron, magnesium, indicator bacteria, trash, and mercury, and have not analyzed any subsequent samples for these pollutants or, in addition, copper and zinc. Further, the Sun Valley Facility Owners and/or Operators have never analyzed their storm water samples for additional parameters required by Table D for SIC Code 4953

facilities, including ammonia, magnesium, COD, lead, arsenic, cadmium, cyanide, mercury, selenium, and silver. These are violations of section B(5)(c) of the Storm Water Permit. The Facility's Annual Reports also do not include an explanation for these failures to analyze for all required parameters. *See* Storm Water Permit, Section B(14).

Additionally, the Sun Valley Facility has at least two discharge locations, but additional discharge points likely exist given the lack of structural controls around the Facility to direct storm water flows only to the two driveways on the Facility. Therefore, if more than two discharge locations exist, the Sun Valley Facility Owners' and/or Operators' failure to sample all discharge points each Wet Season is a violation of Section B(5)(a) of the Storm Water Permit. Although the Facility's SWPPP states that the two sampling points were selected because they are "representative monitoring points," this misstates the Storm Water Permit's requirements. *See* Sun Valley Facility 2012 SWPPP, at 4. Section B(5)(a) requires facility operators to sample *all* storm water discharge locations, not merely those "representative" of the facility's runoff, and thus this failure to sample from all discharge locations is a violation of the Storm Water Permit.

Further, although the Sun Valley Facility Owners and/or Operators have generally filled out the required forms to document their compliance with the M&RP for the Facility, the high pollutant concentrations in the Facility's storm water discharges demonstrate that the Sun Valley Facility Owners and/or Operators have not developed and/or implemented an adequate M&RP. The objectives of the M&RP include "[ensuring] that storm water discharges are in compliance with the Discharge Prohibitions, Effluent Limitations, and Receiving Water Limitations" and that "practices at the facility to reduce or prevent pollutants in storm water discharges . . . are evaluated and revised." Storm Water Permit, Section B(2). However, the Sun Valley Facility Owners' and/or Operators' repeated violations of Effluent Limitation B(3) and Receiving Water Limitations C(1) and/or C(2) and high pollutant concentrations in the Facility's storm water discharges indicate that the M&RP does not achieve these objectives and therefore is not adequate.

Waterkeeper puts the Sun Valley Facility Owners and/or Operators on notice that they violate Section B and Provision E(3) of the Storm Water Permit and the Clean Water Act every day that they fail to develop, implement, and/or revise an adequate M&RP. The Sun Valley Facility Owners and/or Operators have been in daily and continuous violation of the Storm Water Permit's M&RP requirements every day since at least December 3, 2008. These violations are ongoing, and Waterkeeper will include additional violations as information and data become available. The Sun Valley Facility Owners and/or Operators are subject to civil penalties for all violations of the Clean Water Act occurring since December 3, 2008.

E. Failure to Comply with the Storm Water Permit's Reporting Requirements

Section B(14) of the Storm Water Permit requires a permittee to submit an Annual Report to the Regional Board by July 1 of each year. The Storm Water Permit, in relevant part, requires that the Annual Report include the following: 1) a summary of visual observations and sampling results; 2) an evaluation of the visual observation and sampling and analysis results; 3) laboratory reports; and 4) an Annual Comprehensive Site Compliance Evaluation Report

("ACSCE Report"). Storm Water Permit, Section B(14). As part of the ACSCE Report, the facility operator must review and evaluate all of the BMPs to determine whether they are adequate and whether SWPPP revisions are needed. *See* Storm Water Permit, Section A(9). The Annual Report must be signed and certified by a duly authorized representative, under penalty of law that the information submitted is true, accurate, and complete to the best of his/her knowledge. *See* Storm Water Permit, Section B(14), C(9), and C(10).

Information available to Waterkeeper indicates that the Sun Valley Facility Owners and/or Operators have failed to comply with Section B(14) of the Storm Water Permit. For example, none of the ACSCE Reports submitted for the Facility included the critical evaluations required to improve a facility's M&RP and SWPPP to ensure that Storm Water Permit violations, such as those discussed above, are corrected. *See* Storm Water Permit, Sections A(9) and B(14). Further, despite consistent exceedances of WQSs, as discussed above, the Sun Valley Facility Owners and/or Operators have never submitted a report describing additional BMPs that will be implemented to prevent or reduce the pollutants that are causing or contributing to the exceedance of these WQSs. *See* Receiving Water Limitation C(3) and C(4). These examples of failures to assess the Facility's M&RP and SWPPP and respond to their inadequacies in the Facility's Annual Reports negates a key component of the evaluation process required in self-monitoring programs such as the Storm Water Permit. Instead, each year the Sun Valley Facility Owners and/or Operators disregarded these failures to comply with the Storm Water Permit by simply checking the box in the Annual Report form indicating that they certified compliance with the Storm Water Permit. By providing erroneous information, the Sun Valley Facility Owners and/or Operators thereby ensured that violations of the Storm Water Permit would continue, as demonstrated by persistent WQS and EPA benchmark exceedances, because no changes had been made to correct recurring issues. This in itself is a violation of the Storm Water Permit. *See* Storm Water Permit, Sections B(14), Receiving Water Limitation C(3) and C(4).

Waterkeeper puts the Sun Valley Facility Owners and/or Operators on notice that its failures to report are violations of the Storm Water Permit, and indicate a continuous and ongoing failure to comply with the Storm Water Permit's reporting requirements, including those set forth at Section B(14) and Receiving Water Limitations C(3) and C(4). Every day the Sun Valley Facility Owners and/or Operators operate the Sun Valley Facility without reporting as required by the Storm Water Permit is a separate and distinct violation of the Storm Water Permit and the Clean Water Act. The Sun Valley Facility Owners and/or Operators have been in daily and continuous violation of the Storm Water Permit's reporting requirements every day since at least December 3, 2008. The Sun Valley Facility Owners and/or Operators are subject to civil penalties for all violations of the Clean Water Act occurring since December 3, 2008.

IV. Relief Sought for Violations of the Clean Water Act

Pursuant to Section 309(d) of the Clean Water Act, 33 U.S.C. § 1319(d), and the Adjustment of Civil Monetary Penalties for Inflation, 40 C.F.R. § 19.4, each separate violation of the Clean Water Act subjects the violator to a penalty for all violations occurring during the period commencing five years prior to the date of the Notice Letter. These provisions of law authorize civil penalties of up to $32,500 per day per violation for all Clean Water Act violations

between March 15, 2004 and January 12, 2009, and $37,500 per day per violation for all Clean Water Act violations after January 12, 2009. In addition to civil penalties, pursuant to Sections 505(a) and (d), 33 U.S.C. § 1365(a) and (d), Waterkeeper will seek injunctive relief preventing further violations of the Clean Water Act, declaratory relief, and such other relief as permitted by law. Lastly, pursuant to Section 505(d) of the Clean Water Act, 33 U.S.C. § 1365(d), Waterkeeper will seek to recover its costs, including attorneys' and experts' fees, associated with this enforcement action.

V. Conclusion

Upon expiration of the 60-day notice period, Waterkeeper will file a citizen suit under Section 505(a) of the Clean Water Act, 33 U.S.C. § 1365(a), for the above-referenced violations. Waterkeeper is represented by its own legal counsel and by Lawyers for Clean Water, Inc. During the 60-day notice period, Waterkeeper is willing to discuss effective remedies for the violations noted in this letter. If you wish to pursue such discussions in the absence of litigation, it is suggested that you initiate those discussions immediately.

Please direct all communications to Los Angeles Waterkeeper:

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Sincerely,

Liz Crosson
Los Angeles Waterkeeper

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Los Angeles Waterkeeper Notice of Violations and Intent to File Suite—Exhibit A
Days with Significant Rain Events (Rainfall above 0.1 inches)
December 2008-November 2013
AL 464 – Pacoima Wash Spreading Grounds Rain Gauge

Date	Rainfall
12/15/2008	1.72
12/22/2008	0.33
12/25/2008	0.31
1/23/2009	0.32
2/5/2009	1.56
2/6/2009	1.88
2/7/2009	0.33
2/9/2009	0.31
2/13/2009	0.33
2/16/2009	1.3
2/17/2009	0.32
3/4/2009	0.49
10/13/2009	0.72
10/14/2009	0.9
11/28/2009	0.14
12/7/2009	0.98
12/10/2009	0.35
12/11/2009	0.53
12/12/2009	1.54
12/13/2009	0.28
12/30/2009	0.15
1/13/2010	0.1
1/17/2010	0.54
1/18/2010	2.03
1/19/2010	0.63
1/20/2010	2.12
1/21/2010	1.24
1/22/2010	0.44
2/5/2010	0.42
2/6/2010	1.71
2/9/2010	0.45
2/19/2010	0.26
2/27/2010	1.31
3/3/2010	0.14
3/6/2010	0.82
4/5/2010	0.86
4/11/2010	0.5
4/20/2010	0.11

Los Angeles Waterkeeper Notice of Violations and Intent to File Suit—Exhibit A
Days with Significant Rain Events (Rainfall above 0.1 inches)
December 2008-November 2013
AL 464 – Pacoima Wash Spreading Grounds Rain Gauge

5/27/2010	0.1
1/2/2011	0.6
1/30/2011	0.11
2/16/2011	0.73
2/18/2011	1.03
2/19/2011	0.32
2/25/2011	1.18
2/26/2011	0.23
3/19/2011	0.19
3/20/2011	5.73
3/21/2011	0.21
3/23/2011	0.38
3/24/2011	0.23
3/25/2011	0.67
3/27/2011	0.17
5/15/2011	0.13
5/17/2011	0.38
5/18/2011	0.23
10/5/2011	0.97
11/4/2011	0.38
11/6/2011	0.49
11/12/2011	0.17
11/20/2011	0.96
12/12/2011	1.12
1/21/2012	0.7
1/23/2012	0.86
2/15/2012	0.13
3/17/2012	0.9
3/25/2012	1.33
4/10/2012	0.14
4/11/2012	0.81
4/13/2012	1.39
4/25/2012	0.19
10/11/2012	0.1
11/17/2012	0.74
11/29/2012	0.29
11/30/2012	0.3
12/1/2012	0.16
12/2/2012	0.24

Los Angeles Waterkeeper Notice of Violations and Intent to File Suit—Exhibit A
Days with Significant Rain Events (Rainfall above 0.1 inches)
December 2008-November 2013
AL 464 – Pacoima Wash Spreading Grounds Rain Gauge

12/3/2012	0.13
12/12/2012	0.33
12/18/2012	0.43
12/24/2012	0.73
12/26/2012	0.24
1/24/2013	0.85
1/25/2013	0.12
1/27/2013	0.29
2/8/2013	0.16
2/19/2013	0.33
3/7/2013	0.21
3/8/2013	0.8
5/6/2013	0.45
5/7/2013	0.19
11/20/2013	0.16
11/21/2013	0.36